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EXHIBIT D

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ACACIA MEDIA TECHNOLOGIES CORPORATION

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

ACACIA MEDIA TECHNOLOGIES CORPORATION, Plaintiff vs. NEW DESTINY INTERNET GROUP, ET. AL., Defendants,	Case No. SACV 02-1040 JW (MLGx) **Consolidated Cases:** SA CV 02-1048-JW (MLGx) SA CV 02-1063-JW (MLGx) SA CV 02-1165-JW (MLGx) SA CV 03-0217-JW (MLGx) SA CV 03-0218-JW (MLGx) SA CV 03-0219-JW (MLGx) SA CV 03-0259-JW (MLGx) SA CV 03-0271-JW (MLGx) SA CV 03-0308-JW (MLGx) **Related Cases:** SA CV 03-1610-JW (MLGX) SA CV 03-1800-JW (MLGX) SA CV 03-1801-JW (MLGX) SA CV 03-1803-JW (MLGX) SA CV 03-1804-JW (MLGX) SA CV 03-1805-JW (MLGX) SA CV 03-1807-JW (MLGX) **JOINT CLAIM CONSTRUCTION CHART FOR CLAIM TERMS IN THE '992 AND '702 PATENTS**
AND ALL RELATED CASE ACTIONS	

'702 Patent -- Claim Phrases	Acacia's Construction of Claim Phrases	Defendants' Construction of Claim Phrases
		may be transferred between them."
sequence encoder	The term "sequence encoder" is construed as a "time encoder, i.e., a device or software which places blocks of converted formatted information into a sequence or group of addressable data blocks by assigning relative time markers to data prior to subsequent compression."	Fish & Richardson Defendants' Brief The term "sequence encoder" is not used in the '702 patent, is purely functional, and has no well-understood meaning connotative of structure. Accordingly, term "sequence encoder" must be construed pursuant to § 112, ¶ 6. Claims 1, 17, 18, and 32 do not state the function performed by the "sequence encoder," and Acacia admits that the patent does not support or enable a broad functional meaning. Therefore, these claims cannot be construed under § 112, ¶ 6 and are invalid under § 112, ¶ 2. Claims 7 and 33 specify the function performed by the "sequence encoder" and the limitation is construed to require the algorithms of the "time encoder" set forth in the specification.
identification encoder	The term "identification encoder" is construed as "a device or software capable of expressing the identification of an item in terms of a code."	Fish & Richardson Defendants' Brief The term "identification encoder" is purely functional and has no well-understood meaning connotative of structure. Accordingly, the term "identification encoder" must be construed pursuant to § 112, ¶ 6. The patent specification describes an "identification encoder" purely in functional terms and provides no permissible corresponding structure. Therefore, the claims that include this limitation are invalid under 35 U.S.C. §112, ¶ 2.